

July 14, 2009

The Township Committee of the Township of Union in the County of Union, convened in regular session at Municipal Headquarters, Friberger Park, Union, New Jersey, on the 14th day of July, 2009 at 7:37 P.M. The meeting was called to order by Anthony Terrezza, Chairman of the Township Committee.

The Clerk read the following statement:

"This is a regular meeting of the Township Committee. Public Notice of this meeting has been given, as required by the 'Open Public Meeting's Law'. A Resolution was adopted on January 1, 2009, designating this date, this hall and 7:30 P.M. as the time for this regular meeting of the Township Committee of the Township of Union in the County of Union.

A notice of each and every regular meeting of the Township Committee was posted, in accordance with the aforesaid 'Open Public Meeting's Law', in one public place reserved for the posting of Ordinances and official notices of the Township of Union, namely, the bulletin board next to the Clerk's Office. In addition thereto, a copy of said Resolution was forwarded to The Local Source and the Star Ledger. A copy of said Resolution is on file with the Clerk of the Township."

The opening prayer was led by Committeeman Clifton People, Jr., and the pledge to the flag was led by Committeeman Peter Capodice.

The Clerk called the roll. Those present and those absent, were as follows:

Present: Anthony Terrezza, Chairman
Joseph Florio, Vice Chairman
Peter Capodice
Brenda Restivo
Clifton People, Jr.

PROCLAMATION:

Proclaiming Sunday August 23, 2009 as "Ukrainian Independence Day"

On motion of Mr. Florio, seconded by Mr. Capodice, and carried, the Township Committee moved to approve the Minutes of Meetings held on June 23, 2009 Executive and Conference and Regular, Special Meeting Minutes held on June 22, 2009 and June 30, 2009, as printed and distributed by the Clerk.

Mr. Capodice abstained from the minutes of the meetings held on June 23, 2009.

In pursuance to notice duly published, the Clerk presented for consideration, as to second and final reading, an ordinance amending Chapter 266-55 of the Municipal Code entitled "Parking Prohibited at All Times" to include the cul-se-sac on Grandview Avenue.

The said ordinance having been advertised and posted on the bulletin board in the Municipal Building in accordance with statutory requirements, it was

On motion of Mr. People, seconded by Mr. Capodice, and carried, the

Township Committee,

RESOLVED, that the said ordinance, the title of which is hereinbelow set forth, be taken up on second reading.

The Clerk read:

AN ORDINANCE AMENDING CHAPTER 266-55,
ENTITLED "SCHEDULE XIV PARKING PROHIBITED
AT ALL TIMES" BY THE TOWNSHIP COMMITTEE
OF THE TOWNSHIP OF UNION, COUNTY OF UNION,
STATE OF NEW JERSEY
(This ordinance affects the cul-de-sac- on Grandview Ave.)

The Chairman announced public hearing on the said ordinance. There being no person present expressing the desire to be heard in this connection, it was

On motion of Mr. Florio, seconded by Mr. Capodice, and carried, the Township Committee

RESOLVED, that the aforesaid ordinance be and the same is hereby passed on second and final reading.

Mrs. Restivo aye, Mr. Capodice aye, Mr. People aye, Mr. Florio aye
Mr. Terrezza aye.

The Clerk presented draft of an ordinance amending Chapter 462 of the Municipal Code entitled "Solid Waste; Recycling", Article V – Refuse Containers & Dumpsters, to address the requirements by the NJDEP.

On motion of Mr. Florio, seconded by Mrs. Restivo, and carried, the Township Committee,

RESOLVED, that the said draft of ordinance be received, approved, and that the same be taken up on first reading by title.

The Clerk read:

AN ORDINANCE OF THE TOWNSHIP OF UNION IN
THE COUNTY OF UNION AND STATE OF NEW JERSEY
TO ADDRESS THE REQUIREMENTS OF THE NEW
JERSEY DEPARTMENT OF ENVIRONMENTAL
PROTECTION REGARDING PROPER DESIGN OF
REFUSE CONTAINERS & DUMPSTERS

Mrs. Restivo aye, Mr. Capodice aye, Mr. People aye, Mr. Florio aye
Mr. Terrezza aye.

On motion of Mr. Florio, seconded by Mrs. Restivo, and carried on roll call, the Township Committee,

RESOLVED, that the aforesaid ordinance be and the same is hereby passed on first reading, and

FURTHER RESOLVED, that the aforesaid ordinance be considered as to second and final reading, at a meeting to be held on July 28, 2009.

Mrs. Restivo aye, Mr. Capodice aye, Mr. People aye, Mr. Florio aye
Mr. Terrezza aye.

The Clerk presented draft of an ordinance amending Chapter 474 of the Municipal Code entitled “Stormwater Management”, Article IV – Private Catch Basin Retrofitting, to address the requirements by the NJDEP.

On motion of Mrs. Restivo, seconded by Mr. Capodice, and carried, the Township Committee,

RESOLVED, that the said draft of ordinance be received, approved, and that the same be taken up on first reading by title.

The Clerk read:

AN ORDINANCE OF THE TOWNSHIP OF UNION
IN THE COUNTY OF UNION AND STATE OF NEW
JERSEY TO ADDRESS THE REQUIREMENTS
OF THE NEW JERSEY DEPARTMENT OF
ENVIRONMENTAL PROTECTION REGARDING
THE RETROFITTING OF PRIVATE CATCH BASINS

Mrs. Restivo aye, Mr. Capodice aye, Mr. People aye, Mr. Florio aye
Mr. Terrezza aye.

On motion of Mrs. Restivo, seconded by Mr. People, and carried on roll call, the Township Committee,

RESOLVED, that the aforesaid ordinance be and the same is hereby passed on first reading, and

FURTHER RESOLVED, that the aforesaid ordinance be considered as to second and final reading, at a meeting to be held on July 28, 2009.

Mrs. Restivo aye, Mr. Capodice aye, Mr. People aye, Mr. Florio aye
Mr. Terrezza aye.

The Clerk presented draft of an ordinance amending Chapter 150 of the Municipal Code entitled “Affordable Housing”, to comply with third round requirements of the Council on Affordable Housing.

On motion of Mr. Capodice, seconded by Mr. People, and carried, the Township Committee,

RESOLVED, that the said draft of ordinance be received, approved, and that the same be taken up on first reading by title.

The Clerk read:

AN ORDINANCE OF THE TOWNSHIP OF UNION IN
THE COUNTY OF UNION AND STATE OF NEW
JERSEY REPEALING ARTICLES I, II, & III OF
CHAPTER 150 OF THE ORDINANCE TO ADDRESS
THE REQUIREMENTS OF THE COUNCIL ON
AFFORDABLE HOUSING (COAH) REGARDING

COMPLIANCE WITH THE MUNICIPALITY'S
PRIOR ROUND AND THIRD ROUND AFFORDABLE
HOUSING OBLIGATIONS.

Mrs. Restivo aye, Mr. Capodice aye, Mr. People aye, Mr. Florio aye
Mr. Terrezza aye.

On motion of Mr. Capodice, seconded by Mr. People, and carried on roll
call, the Township Committee,

RESOLVED, that the aforesaid ordinance be and the same is hereby
passed on first reading, and

FURTHER RESOLVED, that the aforesaid ordinance be considered as to
second and final reading, at a meeting to be held on July 28, 2009.

Mrs. Restivo aye, Mr. Capodice aye, Mr. People aye, Mr. Florio aye
Mr. Terrezza aye.

The Clerk presented draft of an ordinance amending Chapter 505 of the
Municipal Code entitled "Towing" to include the release fee of \$10.00

On motion of Mr. People, seconded by Mrs. Restivo, and carried, the
Township Committee,

RESOLVED, that the said draft of ordinance be received, approved, and
that the same be taken up on first reading by title.

The Clerk read:

AN ORDINANCE AMENDING CHAPTER 505
ENTITLED "TOWING" BY THE TOWNSHIP
COMMITTEE OF THE TOWNSHIP OF UNION,
COUNTY OF UNION, STATE OF NEW JERSEY

Mrs. Restivo aye, Mr. Capodice aye, Mr. People aye, Mr. Florio aye
Mr. Terrezza aye.

On motion of Mr. People, seconded by Mrs. Restivo, and carried on roll
call, the Township Committee,

RESOLVED, that the aforesaid ordinance be and the same is hereby
passed on first reading, and

FURTHER RESOLVED, that the aforesaid ordinance be considered as to
second and final reading, at a meeting to be held on July 28, 2009.

Mrs. Restivo aye, Mr. Capodice aye, Mr. People aye, Mr. Florio aye
Mr. Terrezza aye.

The Clerk presented draft of an ordinance amending Chapter 109-39 of the
Municipal Code to set the fees for use of a Township vehicle during jobs in blue.

On motion of Mr. Capodice, seconded by Mr. People, and carried, the Township Committee,

RESOLVED, that the said draft of ordinance be received, approved, and that the same be taken up on first reading by title.

The Clerk read:

AN ORDINANCE AMENDING CHAPTER 109-39.1 ENTITLED "OFF DUTY EMPLOYMENT" BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF UNION, COUNTY OF UNION, STATE OF NEW JERSEY.

Mrs. Restivo aye, Mr. Capodice aye, Mr. People aye, Mr. Florio aye
Mr. Terrezza aye.

On motion of Mr. Capodice, seconded by Mr. People, and carried on roll call, the Township Committee,

RESOLVED, that the aforesaid ordinance be and the same is hereby passed on first reading, and

FURTHER RESOLVED, that the aforesaid ordinance be considered as to second and final reading, at a meeting to be held on July 28, 2009.

Mrs. Restivo aye, Mr. Capodice aye, Mr. People aye, Mr. Florio aye
Mr. Terrezza aye.

On motion of Mr. Capodice, seconded by Mr. People, and carried, the Township Committee moved the adoption of the following entitled Resolution:

Authorizing the Mayor & Clerk to execute an agreement with the County of Union to modify the Interlocal Services Agreement dated December 15, 1974 as amended for the Union County Community Development Block Grant Program.

On motion of Mr. People, seconded by Mrs. Restivo, and carried, the Township Committee moved the adoption of the following entitled Resolution:

Authorizing the cancellation of outstanding General Capital Improvement appropriations in the amount of \$129,249.15 to surplus.

On motion of Mrs. Restivo, seconded by Mr. People, and carried, the Township Committee moved the adoption of the following entitled Resolution:

Authorizing the payment of all approved vouchers for solid waste collection, haulage and disposal at the interim rate of \$66.94 per ton for household waste and \$91.51 per ton for bulky waste. (June)

On motion of Mr. Capodice, seconded by Mr. People, and carried, the Township Committee moved the adoption of the following entitled Resolution:

Authorizing the renewal of Limited Distribution License No. 2019-43-005-008, Vijay & Sahaj Food Corp., t/a One Stop Mini Market, located at 90 Laurel Avenue for the annual period of July 1, 2009 – June 30, 2010.

On motion of Mr. Capodice, seconded by Mr. People, and carried, the Township Committee moved the adoption of the following entitled Resolution:

Authorizing the renewal of Plenary Retail Consumption License No. 2019-33-058-005, Lizzard Inc., t/a Suspenders, located at 1131 Magie Avenue, with the special conditions listed for the annual period of July 1, 2009- June 30, 2010.

On motion of Mrs. Restivo, seconded by Mr. People, and carried, the Township Committee moved the adoption of the following entitled Resolution:

Authorizing the place to place transfer (expansion of premise) for Plenary Retail Consumption License No. 2019-33-011-003, t/a 141 South, 1871 Vauxhall Road.

On motion of Mr. Capodice, seconded by Mrs. Restivo, and carried, the Township Committee moved the adoption of the following entitled Resolution:

Authorizing Change Order No. 1 resulting in a net change of zero dollars (\$0.00) to S. Brothers Inc., for a total contract amount not to exceed \$823,674.92 for the 2008 Road Improvement Program – Contract 1.

On motion of Mr. Capodice, seconded by Mr. Florio, and carried, the Township Committee moved the adoption of the following entitled Resolution:

Ratifying Change Order No. 1 increasing the amount to Ed Donnelly Plumbing & Heating Inc., Co. by \$4,409.45, for a revised total contract of \$54,409.45 for the 2009 Plumbing Services.

On motion of Mrs. Restivo, seconded by Mr. People, and carried, the Township Committee moved the adoption of the following entitled Resolution:

Amending Resolution No. 2009-37, increasing the amount to Union Fire Equipment Corp., by an additional \$40,000.00 for a revised total contract amount not to exceed \$75,000.00 for the purchase of Firefighter Protective Clothing & Equipment.

On motion of Mr. People, seconded by Mr. Capodice, and carried, the Township Committee moved the adoption of the following entitled Resolution:

Amending Resolution No. 2008-281, increasing the amount to John Carbone, Esq., by an additional \$3,000.00 for a revised total contract amount not to exceed \$35,000.00 for representation of a Municipal Employee.

On motion of Mr. Capodice, seconded by Mr. People, and carried, the Township Committee moved the adoption of the following entitled Resolution:

Authorizing the renewal of the Employee Dental Plan with Horizon dental for the year 2008-2009 at a premium of \$709,193.45.

On motion of Mr. Capodice, seconded by Mr. People, and carried, the Township Committee moved the adoption of the following entitled Resolution:

Authorizing the renewal of the Employee Prescription Plan with Maxor Pharmacy for the year 2008-2009 at a premium of \$3,930,000.00.

On motion of Mr. People, seconded by Mrs. Restivo, and carried, the Township Committee moved the adoption of the following entitled Resolution:

Authorizing the Union Township Historical Society to apply for a grant in the amount of \$47,000.00 from the Union County Preservation Trust Fund to be used for restoration of the Parsonage House located at 909 Caldwell Avenue.

On motion of Mrs. Restivo, seconded by Mr. People, and carried, the Township Committee moved the adoption of the following entitled Resolution:

Authorizing an award of contract to Bird Solutions by Cowleys for the cleaning & solving of pest problems in the Municipal Building steeple at their low quote not to exceed \$4,495.00.

Quotes were received in the Meeting Room at Municipal Headquarters, for the cleaning & solving of pest problems in the Municipal Building steeple.

An award of contract to Bird Solutions by Cowleys at their low quote not to exceed \$4,495.00.

The Quotes received and opened were as follows:

Bird Solutions 38 W. Sylvania Avenue Neptune City, N.J. 07753	\$4,495.00
All Jersey Pest Control 272 Central Avenue West Caldwell, N.J. 07006	\$5,000.00
Insurance Restoration Specialists, Inc. 26 Kennedy Blvd. East Brunswick, N.J. 08816	\$6,700.00

Bernie Stummer, Purchasing Agent reported that the quote of Bird Solutions by Crowleys, was the low quote and Mr. Stummer recommended that the award be made accordingly.

Clerk advised that approved Contract Award Certification forms from the C.F.O. are on file.

On motion of Mrs. Restivo, seconded by Mr. People, and carried, the Township Committee,

RESOLVED, that the contract for the cleaning & solving of pest problems in the Municipal Building steeple, be awarded to Bird Solutions by Crowleys, at the bid price set forth in their sealed proposal, and that the Chairman and the Clerk be authorized to execute said contract.

On motion of Mr. Florio, seconded by Mr. People, and carried, the Township Committee authorized the payment of bills which are listed in the Permanent Claim's Register against the Township of Union, for the period July 14, 2009, approved by respective Departments as being correct.

The Clerk presented listing of "Adjustment of Taxes Receivable" submitted by the Collector of Taxes for remission, in pursuance to Revised Statutes.

On motion of Mr. Florio, seconded by Mr. People, and carried, the Township Committee,

RESOLVED, that the said listing be received and that in pursuance of the Collector's recommendation, he be and is hereby authorized to cancel of record the taxes enumerated in the listing as follows:

BLOCK/LOT	NAME	YEAR	AMOUNT	DEDUCTION
2113/14	Maarian&Marianna Pysklo	2009	\$250.00	Sen. Citizen

RESOLVED, that the said communication be received, and

FURTHER RESOLVED, that the Township Treasurer be and is hereby authorized and directed to draw checks to cover overpayments.

On motion of Mr. Florio, seconded by Mr. People, and carried, the Township Committee authorized payment of Community Development Agency Bills in the amount of \$7,770.67

COMMUNICATIONS:

From: Terri Malanda, Tax Collector, Re: Requesting the Township Committee authorize checks to the following representing the redemption of tax sales certificates:

NAME	AMOUNT	CERT#	LOCATION
US Bank/Cust for Plymouth Park	\$30,354.82	07-00028	435 Clark Place
Home Equity Savers	\$ 700.00		
	\$ 9,417.22	06-042	2853 Vauxhall Road
	\$ 2,500.00		

On motion of Mr. Capodice, seconded by Mr. People, and carried, the Township Committee moved to concur with the request.

From: Yuriy Symczyk, Ukrainian Congress Committee of America,
Re: Requesting permission to hold their annual flag raising ceremony in front of the Municipal Building on Sunday August 23, 2009.

On motion of Mrs. Restivo, seconded by Mr. People, and carried, the Township Committee moved to approve the request.

From: Kathy Tomlinson, Resident, Re: Requesting permission to have a Block Party on Saturday July 25th with a rain date of Saturday August 15, 2009 from 1-6 PM on Oak Place from Vauxhall Road to Wildwood Terrace.

On motion of Mr. Capodice, seconded by Mr. People, and carried, the Township Committee moved to approve the request.

From: Philip Haderer, Township Engineer, Re: Requesting payments to the following contractors;

- A. Payment No. 3 to WHL Enterprises, Inc., in the amount of \$23,201.98 for work completed through June 30, 2009 for the Main Library Mechanical & Electrical Upgrades Project.
- B. Payment No. 6 to Luongo Associates, P.A., in the amount of \$2,875.00 for Professional Engineering Services on work completed through June 25, 2009 on the Main Library Mechanical & Electrical Upgrades Project.
- C. Payment No. 3 to S. Brothers, Inc., in the amount of \$341,302.97 for work completed through July 8, 2009 on the 2008 Road Improvement – Contract 1 Project.

On motion of Mr. Capodice, seconded by Mr. Florio, and carried, the Township Committee moved to approve request.

From: C.W. Longbow, Principal Chief Cherokee Nation of NJ, Re: Requesting permission to use a Township park during the weekend of October 2 through October 4, 2009 for their annual Pow Wow & Festival.

On motion of Mr. Florio, seconded by Mr. People, and carried, the Township Committee moved to refer to the Township Administrator for review and report back to the Committee.

From: Paul Tortora, Lincoln Tech, Re: Requesting permission to sell barbecued hot dogs & hamburgers at the school every morning Monday thru Friday beginning July 20, 2009 for the next three (3) months to raise funds for the Lincoln Tech race team.

On motion of Mr. Florio, seconded by Mr. People, and carried, the Township Committee moved to refer to the Health and Fire Departments.

From: Deaconess Dorothy Stokes, "Hallelujah" Christian Fellowship Ministries, 941 Caldwell Avenue, Re: Requesting permission to hold their annual "Walk-A-Thon" in the vicinity of Caldwell Avenue and surrounding streets, on Saturday September 26, with a rain date of October 10, 2009, beginning at 8:00 AM to raise money for missionary work.

On motion of Mr. Capodice, seconded by Mr. People, and carried, the Township Committee moved to approve the request.

From: Henry Wiley, Golden Rule Lodge No. 24, F.&A.M., Vauxhall,
Re: Requesting permission to utilize the Township's Showmobile for the 5th annual Community Day Affair to be held on September 5, 2009 from 12:00 PM until 7:00 PM with all fees waived.

On motion of Mr. Capodice, seconded by Mr. People, and carried, the Township Committee moved to grant permission for use of the Showmobile, but fees will not be waived.

Ratifying a request from Planet Honda, 2285 Route 22 West, to utilize a 30' x 60' tent for their annual sale from July 1 through July 6, 2009.

On motion of Mr. Florio, seconded by Mr. Capodice, and carried, the Township Committee moved to concur with the request.

Mr. Terrezza abstained.

Ratifying a request from Officer Anthony Cavallo to hold the EMS Angels "Wednesday Bike Nights" in the parking lot behind Mood Restaurant on July 15th, August 5th and September 16, 2009 from 6-11 PM.

On motion of Mrs. Restivo, seconded by Mr. Capodice, and carried, the Township Committee moved to approve the request.

On motion of Mr. Capodice, seconded by Mr. Florio, and carried, the Township Committee directed be received for filing:

DEPARTMENT REPORTS

MONTHLY

Clerk's Office
Building Department
Tax Assessor's Office
Community Development
Recreation Department
Economic Development

Senior Citizen's Department
Engineering Department
Purchasing Department
Municipal Court
Fire Department
Police Department

COMMITTEE REPORTS:

MRS. RESTIVO:

Mrs. Restivo announced that the County is continuing their recycling program.

Concerning a report of the Department of Public Works for the month of June, 2009, indicating total fees received and activities in the month, Mrs. Restivo moved the report be accepted for filing.

The motion was seconded by Mr. People, and carried.

Mrs. Restivo urged residents to report potholes to the Department of Publics at 686-1922.

Mrs. Restivo announced that the grass collection program still continues.

MR. PEOPLE:

Mr. People was happy to announce that the Soap Box Derby was very successful, enjoyable and very well attended.

Mr. People stated that the 4th of July fireworks display was second to none and thanked the Recreation Department for all their hard work.

Concerning a report of the Recreation Department for the month of June, 2009, indicating total fees received and activities in the month, Mr. People moved the report be accepted for filing.

The motion was seconded by Mr. Capodice, and carried.

MR. CAPODICE:

Concerning a report of the Police Department for the month of June, 2009, indicating total fees received and activities in the month, Mr. Capodice moved the report be accepted for filing.

The motion was seconded by Mr. People, and carried.

MR. FLORIO:

Mr. Florio congratulated the Ukrainians on the anniversary of their Independence Day.

Concerning a report of the Fire Department for the month of June, 2009, indicating total fees received and activities in the month, Mr. Capodice moved the report be accepted for filing.

The motion was seconded by Mr. People, and carried.

Concerning a report of the Building Department for the month of June, 2009, indicating total fees received and activities in the month, Mr. Capodice moved the report be accepted for filing.

The motion was seconded by Mr. Capodice, and carried.

MR. TERREZZA:

Mr. Terrezza congratulated the Ukrainians on the anniversary of their Independence Day.

Mr. Terrezza announced that computer classes will be held at the Senior Center for those who are visually impaired. Mr. Terrezza urged seniors who are interested to call Phyllis at 851-5290, to set up an appointment.

PUBLIC HEARING:

George Jones, 412 Shearer Avenue, complained about the property next to his home that is over grown with weeds, grass and dirt. Mr. Jones stated that the

Building Department has been a big help, but more needs to be done. Mr. Terrezza directed Mr. Malanda to get on it and if necessary have it cleaned up and put a lien on the property.

Patti Brennan, 424 Shearer Avenue, stated that adjacent to this over grown property that Mr. Jones is talking about is City Line a car repair business. Ms. Brennan explained that when she looks out her window she can see eight abandoned cars, and expressed concerns that emergency vehicles will not be able to access the area. Ms. Brennan explained that it brings the neighborhood down. Mr. Terrezza directed Director Zeiser to look into the parking situation, loading and unloading.

Mike Schultz, 117 Jean Terrace, explained that he called DPW regarding the disposal of batteries and they said to put them in the regular trash. Mr. Schultz question this procedure. Sergio Panunzio explained that the N.J. Department of Environmental Protection has lifted the battery restriction and that they can be put in the regular garbage.

Mr. Schultz complained that the planes are flying too low and he cannot sleep at night and it is an accident waiting to happen. Mr. Bradley explained to him that the Township is in litigation with this and until it is completed nothing can be done.

There being no further business presented, the Township Committee on motion of Mr. Capodice, seconded by Mr. Florio, and carried, adjourned the meeting, the time being 8:26 P.M.

Dated: July 14, 2009

ANTHONY TERREZZA, Chairman
of the Township Committee
of the Township of Union
in the County of Union.

EILEEN BIRCH, Township Clerk